

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 10-0457.01 Brita Darling

SENATE BILL 10-039

SENATE SPONSORSHIP

Carroll M., Heath, Hudak, Shaffer B., Tochtrop, Williams

HOUSE SPONSORSHIP

Gagliardi, Fischer, Kefalas

Senate Committees

Education
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING SCHOLARSHIPS FOR JOB TRAINING, AND MAKING AN**
102 **APPROPRIATION THEREFOR.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Section 1 of the bill creates the Colorado job retraining scholarship program (scholarship program), implemented and administered through collegeinvest in the department of higher education. Through the scholarship program, collegeinvest will award scholarships to persons who have been determined eligible to receive unemployment

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
2nd Reading Unamended
April 20, 2010

insurance benefits on or after July 1, 2008, by the department of labor and employment and who are pursuing job training or education programs that meet the goal of the scholarship program to assist persons to achieve gainful employment, including self-employment, in a recognized occupation or a high-need employment area.

The collegeinvest board of directors (board) shall adopt policies to implement and administer the scholarship program.

A scholarship recipient may use the scholarship toward a skilled trades apprenticeship program and to attend courses and programs at institutions of higher education, including public universities, community colleges, junior colleges, public occupational education, and nonpublic institutions of higher education.

Collegeinvest shall annually award and pay \$1 million in scholarships pursuant to the 3-year scholarship program. Scholarships shall not be funded from general fund appropriations.

The board shall report to the general assembly in 2011, 2012, and 2013 concerning the scholarships awarded.

The Colorado job retraining scholarship program is repealed, effective July 1, 2013.

Section 2 of the bill amends the teach Colorado grant initiative by creating a fund for the grant initiative.

Section 3 of the bill transfers \$500,000 annually, commencing in the 2010-11 fiscal year, from the collegeinvest fund to the teach Colorado grant initiative fund for appropriation to the department of higher education for the implementation of the teach Colorado grant initiative.

Section 4 of the bill appropriates \$500,000 from the teach Colorado grant initiative fund to the department of higher education for purposes of implementing the teach Colorado grant initiative.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Part 2 of article 3.1 of title 23, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **23-3.1-206.6. Scholarships for education and job retraining -**
6 **legislative declaration - administration - repeal.** (1) (a) THE GENERAL
7 ASSEMBLY FINDS AND DECLARES THAT:

8 (I) A NUMBER OF COLORADANS HAVE RECENTLY EXPERIENCED
9 LOSS OF EMPLOYMENT AS A RESULT OF A SIGNIFICANT DOWNTURN IN THE

1 ECONOMY AND A CONTRACTION IN THE JOB MARKET. AS A RESULT, MANY
2 COLORADANS HAVE APPLIED FOR UNEMPLOYMENT INSURANCE BENEFITS
3 AND ARE LOOKING FOR WORK.

4 (II) SOME UNEMPLOYED COLORADANS WILL BE UNABLE TO FIND
5 WORK IN THEIR CURRENT FIELD OR WITH THEIR CURRENT LEVEL OF
6 EDUCATION OR TRAINING.

7 (III) THE GENERAL ASSEMBLY THEREFORE FINDS AND DECLARES
8 THAT IT IS APPROPRIATE TO USE COLORADO COLLEGE INVEST SCHOLARSHIP
9 TRUST FUND MONEYS PURSUANT TO SECTION 23-3.1-206.9 (5), TO AWARD
10 SCHOLARSHIPS TO PERSONS WHO ARE RECEIVING UNEMPLOYMENT
11 INSURANCE BENEFITS FROM THE DEPARTMENT OF LABOR AND
12 EMPLOYMENT TO ASSIST THESE PERSONS IN OBTAINING THE ADDITIONAL
13 JOB RETRAINING OR EDUCATION NECESSARY TO BE REEMPLOYED.

14 (2) AS USED IN THIS SECTION, "INSTITUTION OF HIGHER
15 EDUCATION" MEANS:

16 (a) A STATE INSTITUTION OF HIGHER EDUCATION AS DEFINED IN
17 SECTION 23-18-102 (10);

18 (b) A JUNIOR COLLEGE THAT IS PART OF A JUNIOR COLLEGE
19 DISTRICT ORGANIZED PURSUANT TO ARTICLE 71 OF THIS TITLE;

20 (c) AN AREA VOCATIONAL SCHOOL AS DEFINED IN SECTION
21 23-60-103 (1); AND

22 (d) A NONPUBLIC INSTITUTION OF HIGHER EDUCATION AS DEFINED
23 IN SECTION 23-3.7-102 (3).

24 (3) (a) THERE IS HEREBY CREATED THE COLORADO JOB
25 RETRAINING SCHOLARSHIP PROGRAM, REFERRED TO IN THIS SECTION AS
26 THE "SCHOLARSHIP PROGRAM", FOR THE PURPOSE OF PROVIDING JOB
27 TRAINING AND RETRAINING OPPORTUNITIES AND INCREASED ACCESS TO

1 HIGHER EDUCATION FOR INDIVIDUALS WHO ARE UNEMPLOYED.

2 (b) THE AUTHORITY SHALL IMPLEMENT AND ADMINISTER THE
3 SCHOLARSHIP PROGRAM. SUBJECT TO THE APPROVAL OF THE EXECUTIVE
4 DIRECTOR, THE BOARD SHALL ADOPT ANY POLICIES NECESSARY TO
5 IMPLEMENT THE SCHOLARSHIP PROGRAM. THE BOARD SHALL ENSURE
6 THAT THE POLICIES ADOPTED BY THE BOARD DO NOT POSE SIGNIFICANT
7 BARRIERS TO PARTICIPATION FOR APPLICANTS OR ADD INEFFICIENT
8 ADMINISTRATIVE BURDENS FOR THE AUTHORITY OR PARTICIPATING
9 INSTITUTIONS OF HIGHER EDUCATION.

10 (c) THE AUTHORITY SHALL REVIEW EACH SCHOLARSHIP
11 APPLICATION WHEN RECEIVED, APPLYING THE FOLLOWING ELIGIBILITY
12 CRITERIA:

13 (I) AT ANY TIME ON OR AFTER JULY 1, 2008, THE DEPARTMENT OF
14 LABOR AND EMPLOYMENT HAS DETERMINED THE APPLICANT FOR THE
15 SCHOLARSHIP PROGRAM TO BE ELIGIBLE TO RECEIVE UNEMPLOYMENT
16 BENEFITS PURSUANT TO THE "COLORADO EMPLOYMENT SECURITY ACT",
17 ARTICLES 70 TO 82 OF TITLE 8, C.R.S.; AND

18 (II) THE APPLICANT CERTIFIES THAT THE JOB TRAINING OR
19 EDUCATION COURSES OR PROGRAM FOR WHICH THE APPLICANT SEEKS A
20 SCHOLARSHIP WILL ASSIST THE APPLICANT TO ACHIEVE GAINFUL
21 EMPLOYMENT, INCLUDING SELF-EMPLOYMENT, IN A RECOGNIZED
22 OCCUPATION OR A HIGH-NEED EMPLOYMENT AREA.

23 (4) A PERSON WHO RECEIVES A SCHOLARSHIP AWARDED PURSUANT
24 TO THIS SECTION MAY APPLY THE SCHOLARSHIP TO A SKILLED TRADES
25 APPRENTICESHIP PROGRAM, ONE OR MORE HIGHER EDUCATION COURSES,
26 OR A CERTIFICATE OR DEGREE PROGRAM AT AN INSTITUTION OF HIGHER
27 EDUCATION.

1 (5) IN THE 2010-2011 FISCAL YEAR, THE AUTHORITY SHALL AWARD
2 AND PAY ONE MILLION DOLLARS IN SCHOLARSHIPS PURSUANT TO THIS
3 SECTION FROM MONEYS IN THE COLORADO COLLEGEINVEST SCHOLARSHIP
4 TRUST FUND. IN THE 2011-12 AND 2012-13 FISCAL YEARS, THE
5 AUTHORITY IS AUTHORIZED TO ANNUALLY USE ONE MILLION DOLLARS
6 FROM THE COLORADO COLLEGEINVEST SCHOLARSHIP TRUST FUND TO
7 ADMINISTER THE SCHOLARSHIP PROGRAM AND TO AWARD SCHOLARSHIPS
8 PURSUANT TO THAT PROGRAM. THE AUTHORITY SHALL NOT USE GENERAL
9 FUND APPROPRIATIONS TO PAY SCHOLARSHIPS AWARDED PURSUANT TO
10 THIS SECTION. IF ANY PORTION OF THE ONE MILLION DOLLARS IN ANNUAL
11 SCHOLARSHIP PROGRAM MONEYS REMAINS UNCOMMITTED AT THE END OF
12 A FISCAL YEAR, SAID AMOUNT SHALL BE TRANSFERRED, PURSUANT TO THE
13 PROVISIONS OF SECTION 23-3.1-206.9 (5), TO THE TEACH COLORADO
14 GRANT INITIATIVE FUND CREATED IN SECTION 23-3.3-901.

15 (6) ON OR BEFORE FEBRUARY 1, 2011, AND ON OR BEFORE
16 FEBRUARY 1 EACH YEAR THEREAFTER IN WHICH A SCHOLARSHIP IS
17 AWARDED PURSUANT TO THE SCHOLARSHIP PROGRAM, THE AUTHORITY
18 SHALL REPORT TO THE EDUCATION COMMITTEES OF THE SENATE AND THE
19 HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES,
20 CONCERNING THE STATUS OF THE SCHOLARSHIP PROGRAM. THE REPORT
21 SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE AMOUNT OF MONEY
22 AVAILABLE TO AWARD SCHOLARSHIPS, THE AMOUNT OF MONEY ANNUALLY
23 SPENT IN ADMINISTERING THE SCHOLARSHIP PROGRAM, THE TOTAL
24 AMOUNT AWARDED IN SCHOLARSHIPS, THE AVERAGE SCHOLARSHIP AWARD
25 AMOUNT, THE NUMBER OF STUDENTS PARTICIPATING IN THE SCHOLARSHIP
26 PROGRAM, AND A GENERAL DESCRIPTION OF THE PARTICIPANTS' CAREER
27 GOALS.

1 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2013.

2 SECTION 2. 23-3.1-206.9 (4), Colorado Revised Statutes, is
3 amended, and the said 23-3.1-206.9 is further amended BY THE
4 ADDITION OF A NEW SUBSECTION, to read:

5 23-3.1-206.9. Colorado collegeinvest scholarship program -
6 administration - fund - policies - repeal. (4) On or before February 1
7 of each year, the board AUTHORITY shall report to the education
8 committees of the senate and the house of representatives, or any
9 successor committees, on the status of the Colorado collegeinvest
10 scholarship program. The report shall include, but need not be limited to,
11 the financial status of the Colorado collegeinvest scholarship trust fund,
12 the amount of money annually spent on administration, the average
13 scholarship award amount, and the number of students participating in the
14 Colorado collegeinvest scholarship program.

15 (5) (a) (I) NOTWITHSTANDING ANY PROVISIONS OF SUBSECTION (2)
16 OF THIS SECTION TO THE CONTRARY, IN THE 2010-11 FISCAL YEAR, THE
17 AUTHORITY SHALL USE ONE MILLION DOLLARS OF THE MONEYS IN THE
18 COLORADO COLLEGEINVEST SCHOLARSHIP TRUST FUND CREATED IN
19 SUBSECTION (2) OF THIS SECTION, OTHER THAN MONEYS APPROPRIATED
20 FROM THE GENERAL FUND, TO ADMINISTER THE COLORADO JOB
21 RETRAINING SCHOLARSHIP PROGRAM CREATED IN SECTION 23-3.1-206.6
22 AND TO AWARD SCHOLARSHIPS PURSUANT TO THAT PROGRAM.

23 (II) IN THE 2011-12 AND 2012-13 FISCAL YEARS, THE AUTHORITY
24 IS AUTHORIZED TO ANNUALLY USE ONE MILLION DOLLARS FROM THE
25 COLORADO COLLEGEINVEST SCHOLARSHIP TRUST FUND TO ADMINISTER
26 THE COLORADO JOB RETRAINING SCHOLARSHIP PROGRAM CREATED IN
27 SECTION 23-3.1-206.6 AND TO AWARD SCHOLARSHIPS PURSUANT TO THAT

1 PROGRAM.

2 (b) ANY PORTION OF THE ONE MILLION DOLLARS IN ANNUAL
3 COLORADO JOB RETRAINING SCHOLARSHIP PROGRAM MONEYS THAT
4 REMAINS UNCOMMITTED AT THE END OF EACH FISCAL YEAR SHALL BE
5 TRANSFERRED TO THE TEACH COLORADO GRANT INITIATIVE FUND
6 CREATED IN SECTION 23-3.3-901 TO IMPLEMENT THE TEACH COLORADO
7 GRANT INITIATIVE.

8 (c) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2013.

9 SECTION 3. 23-3.1-206 (1) (x) and (1) (y), Colorado Revised
10 Statutes, are amended, and the said 23-3.1-206 (1) is further amended BY
11 THE ADDITION OF A NEW PARAGRAPH, to read:

12 **23-3.1-206. General powers and duties of the authority -**
13 **repeal.** (1) In addition to any other powers and duties specifically
14 granted to the authority in this part 2, the authority has the following
15 powers:

16 (x) To organize entities pursuant to title 7, C.R.S., and transfer
17 funds to the entities for the purpose of investing the moneys in the
18 Colorado collegeinvest scholarship trust fund and any other trusts and
19 funds under the authority's control; and

20 (y) To develop and administer loan forgiveness programs,
21 including those established under article 3.6 of this title; AND

22 (z) (I) TO IMPLEMENT AND ADMINISTER THE COLORADO JOB
23 RETRAINING SCHOLARSHIP PROGRAM CREATED IN SECTION 23-3.1-206.6.

24 (II) THIS PARAGRAPH (Z) IS REPEALED, EFFECTIVE JULY 1, 2013.

25 SECTION 4. 23-3.3-901 (7), Colorado Revised Statutes, is
26 amended to read:

27 **23-3.3-901. Teach Colorado grant initiative created - award**

1 of grants - legislative declaration - fund. (7) (a) In addition to any
2 general funds appropriated by the general assembly to the department for
3 the implementation of the teach Colorado grant initiative, The department
4 is authorized to seek and accept gifts, grants, and donations from private
5 and public sources for the implementation of the teach Colorado grant
6 initiative; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT,
7 GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE
8 INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE. THE
9 DEPARTMENT SHALL TRANSFER ALL MONEYS RECEIVED THROUGH GIFTS,
10 GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT
11 THE SAME TO THE TEACH COLORADO GRANT INITIATIVE FUND CREATED IN
12 PARAGRAPH (b) OF THIS SUBSECTION (7).

13 (b) (I) THERE IS HEREBY CREATED IN THE STATE TREASURY THE
14 TEACH COLORADO GRANT INITIATIVE FUND, REFERRED TO IN THIS
15 SUBSECTION (7) AS THE "FUND". THE FUND SHALL CONSIST OF MONEYS
16 CREDITED TO THE FUND PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION
17 (7), MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION
18 23-3.1-206.9 (5), AND SUCH ADDITIONAL MONEYS AS THE GENERAL
19 ASSEMBLY MAY APPROPRIATE TO THE FUND. THE MONEYS IN THE FUND
20 SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
21 ASSEMBLY TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS
22 ASSOCIATED WITH IMPLEMENTING THIS SECTION; EXCEPT THAT ANY
23 MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION 23-3.1-206.9
24 (5) ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE
25 DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS
26 SECTION.

27 (II) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE

1 OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS
2 PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE
3 INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED
4 TO THE FUND.

5 (III) ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING
6 IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND
7 AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR
8 ANOTHER FUND.

9 **SECTION 5. Adjustment to the 2010 long bill.** For the
10 implementation of this act, the appropriation made in the annual general
11 appropriation act for the fiscal year beginning July 1, 2010, as adjusted
12 by House Bill 10-1383, for the department of higher education, Colorado
13 commission on higher education financial aid, for the need-based student
14 financial assistance program established pursuant to section 23-3.3-102,
15 Colorado Revised Statutes, shall be reduced by one million dollars
16 (\$1,000,000) cash funds. Said sum shall be from the Colorado
17 collegeninvest scholarship trust fund created in section 23-3.1-206.9 (2)
18 (a), Colorado Revised Statutes, out of moneys transferred to the trust fund
19 from the student loan guarantee fund created in section 23-3.1-107 (1) (a),
20 Colorado Revised Statutes.

21 **SECTION 6. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, and safety.